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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 10/021,291 | 10/22/2001 | Mark Lucovsky | 3110 | 9349 |
| 7590 | 03/10/2004 | | EXAMINER | |
| MICHALIK & WYLIE PLLC Suite 103 14645 Bel-Red Road Bellevue, WA 98007 | | | | WONG, LESLIE |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2177 | |
| | | | DATE MAILED: 03/10/2004 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/021,291 | LUCOVSKY ET AL. | |
| | Examiner | Art Unit | |
| | Leslie Wong | 2177 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 October 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 October 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. The Applicants' claim to domestic priority under 35 U.S.C. § 119(e), as a U.S. provisional application serial number 60/275,809, filed 14 March 2001, is acknowledged.

Specification

2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code on page 35, line 20. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. Alternatively, Applicants may place the angle brackets (i.e., <>) around the hyperlinks to overcome the objection.

3. The disclosure is objected to because of the following informalities: a serial number for the related application is blank.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by **Gershman et al.** ('Gershman' hereinafter) U.S. Patent (6,401,0085).

Regarding claim 1, **Gershman** teaches in a computer network, a method comprising,

a). **'providing a profile schema, the profile schema having profile-related fields arranged into a content document with defined structures for the fields'** as customer profile database contains personal information (i.e., profile schema) about the customer such as name, address, SSN, and personal preferences etc... and retrieving user-centric content such as email items, contact items, and news items to add to a web page (i.e., content document) (col. 40, lines 10-14; col. 40, line 55 – col. 41, line 7);

b). **'receiving a data access request directed to contact information, the request including associated identify information'** as client or web browser makes a request to the web server, the servers gets the layout and content preferences for that particular user with the unique user id stored in the client and user profile database. The server then retrieves the relevant user-centric content such as calendar, email, contact list, and tasks list items (col. 40, lines 36-43; col. 39, lines 55-57; lines 27-44); and

c). **'in response to the data access request, manipulating at least one set of data in a logical profile document that includes data therein according to**

the associated identity information, each set of data in the logical profile document structured to correspond to a field in the content document' as when the user requests a product report for product X (i.e., content document), the algorithm retrieves the profiles from the profile database (i.e., logical profile document), and return the result to the user according to the profile matching algorithm (col. 40, lines 55-54; col. 43, lines 10-43).

Regarding claim 2, **Gershman** further teaches wherein '**manipulating at least one set of data comprises reading data from at least one field in the logical profile document'** as the relevant user-centric content such as calendar, email, contact, list and task list items are *retrieved* (i.e., read) (col. 40, lines 42-46).

Regarding claim3, **Gershman** further teaches wherein '**manipulating at least one set of data comprises writing data to at least one field in the logical profile document'** as user's personal information that is *stored* (i.e., write) in a central profile database (col. 39, lines 29-31).

Regarding claim 4, **Gershman** further teaches a computer network, a method comprising,

a). **'receiving a request to retrieve profile data, the request including associated identify information'** as client or web browser makes a request to the web server, the servers gets the layout and content preferences for that particular user with

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the unique user id stored in the client and user profile database (col. 40, lines 36-43; col. 39, lines 55-57; lines 27-44);

- b). **'reading from a data store to obtain profile data based on the associated identity information'** as the relevant user-centric content such as calendar, email, contact, list and task list items are *retrieved* (i.e., read) (col. 40, lines 42-46);
- c). **'constructing a profile document including at least part of the data, the document arranged according to a defined schema for profile data'** as a second persona (i.e., profile document) designated to store the user's work address and may indicate that the user prefers certain vendors or works for a certain company that has a discount program in place (col. 41, lines 6-50); and
- d). **'returning the document in response to the request'** as the web page is returned to the client and displayed to the user (col. 40, lines 51-54).

Regarding claim 5, **Gershman** further wherein '**the schema includes at least one defined field for extending the schema**' as subclassing and inheritance in Object-Oriented Program (OOP) make it possible to extend and modify objects through deriving new kinds of objects from the standard classes available in the system. It should be apparent to the reader that via OOP, the developer can specify the desired field in the schema to be extended (col. 7, lines 20-24; col. 50, lines 45-52).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,983,273A issued to **White et al.** on 09 November 1999. The subject matter disclosed therein is pertinent to that of claims 1-4 (e.g. providing access to the user's environment and preferences).

U.S. Patent 6,343,287B1 issued to **Kumar et al.** on 29 January 2002. The subject matter disclosed therein is pertinent to that of claims 1-4 (e.g., profile service).

U.S. Patent 6,161,139A issued to **Win et al.** on 12 December 2000. The subject matter disclosed therein is pertinent to that of claims 1-4 (e.g., administrative roles).

US005487141A issued to **Cain et al.** on 23 January 1996. The subject matter disclosed therein is pertinent to that of claim 5 (e.g. Object-Oriented Programming).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is (703) 305-3018. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Leslie Wong
Patent Examiner
Art Unit 2177

LW

07 March 7, 2004